

REMARKS

The Examiner's action dated March 29, 2004, has been received, and its contents carefully noted.

In response to the rejection of claims 1-16 under 35 U.S.C. §112, second paragraph, the claims have been carefully reviewed and amended to eliminate all sources of indefiniteness noted by the Examiner. Claim 16 has been canceled. Thus, claims 1-15 are pending.

The claims have been amended to eliminate limitations considered by the Examiner to be indefinite and to revise the claim dependencies in a manner to provide proper antecedent basis for all recited elements.

Regarding the criticism presented in section 2b of the Action, claim 1 has been amended to specify that the paper reels are "spaced apart" in the longitudinal direction of the aisle, as well as being stored above one another. The Examiner is correct that each individual reel could be considered to be oriented in a direction transverse to the aisle, the direction of the aisle being parallel to rails 5. However, it is clear from the disclosure that the reels, or vertical stacks of reels, are intended to be distributed along the length of the rail. It is believed that the addition of the phrase "spaced apart" to claim 1 clarifies this matter and fully responds to item 2b of the Action.

Claim 3 has not been amended and the rejection of that claim under 35 U.S.C §112, second paragraph is respectfully traversed. Clearly, claim 3 employs the term "prism shaped" to identify the shape of receptacle sections (a, b, c), shown in Figure 6 of the application drawing. The term "prism" is employed in its usual sense, when referring to a shape. For example, the first definition of prism in the American Heritage College Dictionary, Houghton Mifflin Company, Boston (1993) is: a solid figure whose bases or ends have the same size and shape and are parallel to one another and each of whose sides is a parallelogram. Thus, in Figure 6, each of the sections a, b, and c has parallel front and rear ends, these being parallel to the plane of the drawing, and all of the sides are parallelograms.

With regard to the formal rejection of claim 13, please note that this claim does not include the phrase "the vertical position".

Accordingly, it is requested that the rejections of claims 1-15 under 35 U.S.C. §112, second paragraph, be reconsidered and withdrawn.

Regarding the comment in section 3 of the Action, claims 8, 9 and 11-15 have been reviewed and it is submitted that, particularly in view of the change in dependency of

these claims, each of these claims is readily understandable. This is particularly true since each of those claims contains reference numerals to enable each recited element to be compared with the drawing.

It is therefore asked that these claims be reviewed and treated on the merits. If the Examiner continues to be of the opinion that the recited structures are not understood, he is respectfully asked to identify the specific recitations in those claims that prevent understanding.

The rejections presented in sections 6-8 of the Action are respectfully traversed, essentially for the reason that the present claims, and particularly independent claim 1, clearly define features that are not disclosed in any one of the three applied references.

Claim 1 defines a shelf stacking machine having at least the following novel features: the machine has a receptacle "formed by a fork that is vertically pivotable around a horizontal axis"; and the fork incorporates "measuring devices that detect the carrying load of a picked-up paper reel".

Referring to the rejection presented in section 6 of the action, Lanza discloses a forklift with ultrasound sensors and cameras for orientation and collision avoidance. The fork is movable only in a vertical direction. However, the fork is

not vertically pivotable around a horizontal axis and does not include any measuring device that detects the carrying load of a paper reel. Thus, claim 1 includes at least two limitations that are not found in this reference.

Referring to the rejection presented in section 7 of the Action, Nakajima discloses a paper reel device having a contact sensor 27 mounted on the upper surface 21 of a receiving member 22. The contact sensor 27 includes a pressure switch operative to halt upward movement of a receiver when the upper surface 21 of receiving member 22 contacts the peripheral surface of a web 28. Contact sensor 27 is not a measuring device that detects the carrying load of a reel. Thus, the function performed by sensor 27 of Nakajima is totally different from that performed by the measuring devices defined in claim 1 of the present Application.

Furthermore, the element identified as a fork in the explanation of the rejection, element 6 of Nakajima, is not a fork, but rather simply a hydraulic jack. Sensor 27 of this reference is not incorporated in jack 6. Thus, claim 1 distinguishes over this reference at least by the recitations of "a fork that is vertically pivotable around a horizontal axis" and that "incorporates measuring devices that detect the carrying load of a picked-up paper reel".

Referring to the rejection presented in section 8 of the Action, Yasuhara discloses a paper reel handling machine having a center sliding detecting means 11 composed of an upper distance sensor 111 and a lower distance sensor 112. As implied by the names of those sensors, they are used for sensing distances, and thus have no relation to measuring devices that detect the carrying load of a reel. Furthermore, the fork disclosed in this reference cannot be pivoted around a horizontal axis. Thus, claim 1 distinguishes over Yasuhara at least by the recitations of "a fork that is vertically pivotable around a horizontal axis", and "measuring devices that detect the carrying load of a picked-up paper reel".

It is therefore submitted that claim 1 clearly defines a structure that is not disclosed in any one of the references relied upon in sections 6, 7 and 8 of the Action, from which it follows that claim 1 cannot be found to have been anticipated under 35 U.S.C. §102 by any of those references.

All of the remaining claims should be considered allowable at least in view of their dependency from claim 1.

In view of the foregoing, it is requested that the rejections of record be reconsidered and withdrawn, that claims 1-15 be allowed and that the Application be found in allowable condition.

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If the above amendment should now place the application in condition for allowance, the Examiner is invited to call undersigned counsel to resolve any remaining issues.

Respectfully submitted,

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